



Honeywell Docket No. H0001273 (4780)
Practitioner Docket No. 100595.0022US1

Patent

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Green
1/29/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231**

Inventor: **Endisch et al.**
Serial No: **09/943,237**
Filed: **August 29, 2001**
For: **Electronic Devices and
Methods of Manufacture**

Examiner: **Maria F. Guerrero**
Art Unit: **2822**

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DECLARATION UNDER 37 CFR § 1.130

I, the undersigned, Sandra Poteat Thompson, hereby declare as follows:

1. I am the attorney of record for Honeywell International Inc. and am an associate with the firm of Rutan & Tucker, LLP.
2. I have been informed that claims in the above-referenced application have been rejected under 35 USC §103 based upon US Issued Patent No. 6,140,254 (Endisch et al., October 2000). I believe that the rejection is inappropriate as follows:
3. Honeywell International Inc. merged with AlliedSignal in June, 1999. (see attached Certificate of Ownership)
4. Both the above-referenced application and US 6,140,254 were commonly owned by Honeywell International Inc. at the time the later invention was made.
5. US 6,140,254 is a US Utility Patent based on US Serial Number 09/156,220 filed on September 18, 1998 and issued on October 31, 2000 (when it became an official "printed publication").
6. The above-referenced application, US Utility Application Serial No.: 09/943,237, was filed on October 29, 2001.
7. Both the above-referenced application and US Issued Patent No. 6,140,254 are not separated by more than a year under 35 USC §102(a).
8. Both the above-referenced application and US Issued Patent No. 6,140,k254 share a common inventor: Denis H. Endisch.
9. The inventor named in the above-referenced application is the prior inventor under 35 USC 104.

10. I hereby declare that all statements made herein of my own knowledge are true and that statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed at Costa Mesa, California, this 21st day of January, 03.

By: Sandra Thompson
Sandra Poteat Thompson, PhD, Esq.
USPTO Registration Number: 46,264

Respectfully submitted,

Rutan & Tucker, LLP

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Dated: January 21, 2003

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